

MARICOPA COUNTY SHERIFF'S OFFICE
Bureau of Internal Oversight
Audits and Inspections
#BI2016-0047

Inspection focus: Division level processing of
Property and Evidence

Date Inspection Started: April 19th, 2016

Date Completed: April 26th, 2016

Timeframe Inspected: March, 2016

Assigned Inspectors: Sergeant D. Tennyson #1598
Lt. W. Cory Morrison #1509

I have reviewed this inspection report.

 #777

Captain Dave Munley
Division Commander
Audits and Inspections

April 27th, 2016
Date

 #1011

Deputy Chief Bill Knight
Bureau Commander
Bureau of Internal Oversight

April 27th, 2016
Date

MARICOPA COUNTY SHERIFF'S OFFICE

Memorandum



Joseph M. Arpaio, Sheriff

To: Capt. D. Munley #777
Division Commander
Deputy Operations Audit/
Inspections Unit
Bureau of Internal Oversight

From: W.C. Morrison #1509
Lieutenant
Audits and Inspections Unit
Bureau of Internal Oversight

Subject: Summary of Findings Report for Inspection
#BI2016-0047 with a focus on the processing of
property and evidence at the Division level.
District 4, Patrol

Date: 04/26/2016

Summary:

Between April 19th 2016 and April 26th 2016, Sergeant David Tennyson #1598 and Lieutenant W. Cory Morrison #1509 of the Bureau of Internal Oversight, Inspections and Audits Unit, conducted an inspection focused on the processing of property and evidence in the District 4 (Cave Creek) substation within the Patrol Bureau.

Authorities:

Maricopa County Sheriff's Office Policy GE-3, *Property Management*
Maricopa County Sheriff's Office policy GJ-4, *Evidence Control*

Procedures:

The inspection included collecting statistical data for the month of March, in the form of items impounded versus those rejected from each patrol division currently established as having a satellite property room onsite, where custodians from the Sheriff's Office Property and Evidence Division conduct regular pickups for relocation to the main property room. Additionally, a thorough inspection was conducted of the Cave Creek Substation utilized by Sheriff's Office personnel assigned to Patrol District 4, which included physical inspections of the assigned work areas utilized by personnel.

On April 18th 2016, a randomizing program (www.Randomizer.org) was utilized to select one "sworn" division, from a list of sixteen, in an effort to identify a location for conducting an inspection with the focus being the manner in which property and evidence was handled within. It was determined an inspection of District 4 would be conducted and the previously approved, "Division Property Inspection Matrix" would be utilized to conduct the inspection and ensure consistency among inspectors at the site location. The inspection date of April 19th 2016 was selected by the inspection team in an effort to work around the previously scheduled inspection and audit functions the team was involved in with other divisions.

On the afternoon of April 19th, inspectors utilized the computerized Property and Evidence database to acquire a report consisting of an itemized list of all items reported to be located inside the satellite property room at the Cave Creek Substation. All items entered into the database to be housed at the facility prior to relocation downtown by the Property Division would be identified. The list consisted of twenty two (22) items.

Upon arrival at the District 4 substation located in Cave Creek, the inspection team separated, each working with division personnel. One inspector focused on determining what was inside the satellite property room and comparing those items to the itemized list acquired through the computerized Property and Evidence database. Every printed property sheet was inspected, as was the specific item of evidence, to determine what was physically there. The second inspector concentrated on inspecting the remaining substation. Maps were acquired of the building, and each room was inspected for obvious items of evidence that were not located inside the satellite property room. An attempt was made to open each drawer, cabinet, box, etcetera, so it could be inspected.

Additionally, one deputy and one detective were selected and asked questions in an effort to better understand the manner in which property and evidence was processed by the division. To accomplish this, a series of five questions were asked uniformly and the answers were recorded in writing. The questions are listed within the previously mentioned matrix and are asked of personnel within every division visited during this inspection.

This Inspection found:

Cave Creek Substation

Property Room

- Twenty two (22) of twenty two (22) items listed as being in the Cave Creek satellite property room, or 100%, were located and properly secured at the time of inspection.
- In addition to the items identified in the computerized report as belonging in the Cave Creek satellite property room, eight (8) unlisted items were secured in the satellite property room. Seven (7) of the items appeared as if they had been relocated from a separate satellite property room (Anthem) and secured in the Cave Creek Substation, which would require the items to be accepted by the division property custodian and cause the items to not appear on the inspection team's list of pre-accepted property and evidence. The one (1) additional item was impounded by an employee assigned to a different division and had been refused by the property custodian due to an incorrect departmental report number being listed with the item of evidence.
 - It should be noted, all eight (8) items were secured properly and in accordance with Office policy.
- Every locker, box, container, etcetera was inspected in the property room and no policy violations were discovered.

Storage Room

- One area included in the inspection, which was being utilized as a storage room, but was listed as a "Conference Room" on the substation map, contained lockers for personnel assigned to the division. Each locker had a division issued lock, and command staff opened each so they could be accessed by the inspection team.
- Two cabinets utilized by Posse personnel were house within the room and secured by locks division personnel did not have keys for. The cabinets were not inspected because the inspection team was unable to gain access.
 - It should be noted, this is not a policy violation, simply an area the inspection team was unable to inspect.

Remaining Office space / Work areas

- The remaining areas within the division were inspected. All rooms were accessed and all drawers, cabinets, boxes, bags, etcetera were made accessible to the inspection team. Nothing appearing as if it were evidence or should have been housed in the property room was located.

Multi division statistical information discovered during inspections:

• District One:	Impounded	501 items	22 Rejected
• District Two:	Impounded	459 items	21 Rejected
• District Three:	Impounded	313 items	5 Rejected
• District Four:	Impounded	77 items	6 Rejected
• District Six:	Impounded	269 items	4 Rejected
• District Seven:	Impounded	86 items	1 Rejected
• Lake Patrol:	Impounded	52 items	1 Rejected

Summary of Interview Questions:

- (Question) – By policy, in what timetable do you need to enter items into the computerized property management database and impound the item into the division property room or downtown Property and Evidence?
 - (Answer) – The individuals answered in the following manner:
 - End of shift.
 - End of shift baring exigent circumstances.
- (Question) – In the past three months, approximately how many times have you seized an item that needed to go into property and impounded the item on a different shift than it was seized?
 - (Answer) – The individuals answered in the following manner:
 - None.
 - None.
- (Question) – If you secure an item in a locker in the division property room, and find yourself wanting to access that item, how do you go about that?
 - (Answer) – The individuals answered in the following manner:
 - Two people have keys, the lieutenant and the administrative deputy.
 - I would get the key from either the administrative deputy or the lieutenant.
- (Question) – How many people have access to secured evidence once it is entered into property?
 - (Answer) – The individuals answered in the following manner:
 - Two individuals, the lieutenant and the administrative deputy.
 - Two individuals, the lieutenant and the administrative deputy.
- (Question) – What do you do with an item of evidence if all the division lockers are full?
 - (Answer) – The individuals answered in the following manner:
 - I would secure it inside the locked property room.
 - I would secure it in the property room, transport it to the property room at the Anthem substation, take it to the district 3 property room, or drive it to the Property Division.

Recommendations:

- The current language in GE-3.2 (Property Management – Rules) and GJ-4.1 (Evidence Control – Custody of Evidence) should be reviewed with considerations made to revise. The policies do not allow for situations where investigative units may have hundreds of pieces of evidence to process, nor does it consider exigency. It is realistic to expect most personnel to process and impound property and evidence by the end of their shifts in most situations, but it is not realistic to expect all personnel can accomplish that task in every situation. If items are secured, and factors explained, supervisors could and likely should be given the authority to have some discretion in this matter, which would allow for a more realistic standard and expectation.
 - The Bureau of Internal Oversight has been advised this portion of policy is being rewritten and will include language specific to the suggested changes

Action Required:

- There will be no further action required. The inspection resulted in zero policy violations being identified.
- MCSO Bureau of Internal Oversight will conduct a follow-up inspection in the near future.

Notes:

- All inspector notes, collected facility maps, and supporting documentation (working papers) is included in the Inspection file number BI2016-0047 and contained in IA PRO

Individual specific areas of concern:

Items unable to locate in the Cave Creek property room that according to the computerized database should have been there:

- All items listed in the computerized database were identified and located within the property room

Items located in Cave Creek property room that were not listed in computerized database:

- | | | |
|----------------------------|-------------|--------------------|
| ○ IR# 2016-010194 | Items # 1-6 | miscellaneous |
| ○ IR# 2016-010333 | Item # 9 | video surveillance |
| ○ IR# 16009446 (as listed) | Item #1 | identification |

- The seven (7) items associated with departmental reports 2016-010194 and 2016-010333 had been relocated from the Anthem substation property room to the property room in the Cave Creek substation. This caused the item to not appear on the list generated by the inspection team, but does not mean a policy violation occurred. The one (1) additional item was impounded by an employee assigned to a different division and had been refused by the property custodian due to an incorrect departmental report number being listed with the item of evidence.

